

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 2567 - HB 2820

March 16, 2012

SUMMARY OF BILL: Removes a trial court's authority to set aside a guilty verdict or to grant a new trial in a criminal case because the court disagrees with the jury about the weight of the evidence.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Rule 33(d) of the Tennessee Rules of Criminal Procedure provides that the trial court may grant a new trial following a verdict of guilty if the court disagrees with the jury about the weight of the evidence. Upon request of either party, the new trial will be conducted by a different judge.
- The Administrative Office of the Courts (AOC) does not maintain statistics on the number of cases in which courts grant new trials pursuant to Rule 33; however, the AOC does not believe that trial courts exercise this rule a sufficient number of times to result in a significant fiscal impact.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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